IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 16421 of 2004

Between:

M/s. Manohara Constructions, Vijayawada rep by Managing Partner Sri Maganti Rama Krishna Chowdary, R/o Flat No.2 II Floor, Maaruti Towers, Tikkle road, Vijayawada, Krishna District

..... PETITIONER

AND

1 The Commissioner of Police, Vijayawada, Krishna District
2 The Assistant Commissioner of Police-II, Vijayawada, Krishna

District
3 The Inspector of Police, (North Circle), Satyanarayana Puram,

Vijayawada, Krishna District
4 The Sub-Inspector of Police, Machavaram Police Station,
Vijayawada, Krishna District
5 Paruchuri Laxmi Kantha, W/o Sri Gurunadha Rao
R/o D. No. 39-16-4, III, Floor, BMG., Road, Rukmini Rice Mill road,

Labbipet, Vijayawada, Krishna District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ, order or direction more particularly, one in the nature of Writ of Mandamus declaring the action of the Respondent Nos. 1 to 4 interfering in civil disputes un lawfully is illegal, high handed and un authorized and violative of the rights guaranteed under Article 21 of Constitution of India and consequently direct the respondents 1 to 4 not to interfere in civil disputes and forcefully dispossessing the petitioner from the disputed property i.e., Flat No.2 in IV Floor Maaruti Towers, Tikkil Road, Vijayawada, Krishna District.

Counsel for the Petitioner:MR.KANAKAMEDALA RAVINDRA KUMAR
Counsel for the Respondents : GP FOR HOME

The Court at the stage of admission made the following O R D E R:

This writ petition is filed seeking a writ of *Mandamus* declaring the alleged action of respondents 1 to 4 in interfering with the civil disputes with regard to Flat No.2, IV Floor, Maaruti Towers, Tikkil Road, Vijayawada, Krishna District, as arbitrary, illegal and in violation of Article 21 of the Constitution of India.

On behalf of respondents 1 to 4, Assistant Sub-Inspector of Police, Machavaram Police Station, Krishna District filed counter-affidavit denying all the allegations made by the petitioner and stating that the petitioner is the Managing Partner of M/s.Manohara Constructions, Vijayawada and that there are civil disputes between the petitioner and the fifth respondent and that the suits filed in the civil Court are still pending on the file of the First Additional Junior Civil Judge, Vijayawada for adjudication. It is further stated that at no point of time, respondents 1 to 4 have interfered with the civil disputes between the petitioner and the fifth respondent.

In the light of the averments in the counter-affidavit, which stood unrebutted, denying all the allegations made by the petitioner, no further adjudication is necessary in this writ petition.

Accordingly, recording the statements in the counter-affidavit, the writ petition is disposed of. No costs.

10-11-2004

kdl

To

1 The Commissioner of Police, Vijayawada, Krishna District
2 The Assistant Commissioner of Police-II, Vijayawada, Krishna

District
3 The Inspector of Police, (North Circle), Satyanarayana Puram,

Vijayawada, Krishna District
4 The Sub-Inspector of Police, Machavaram Police Station,
Vijayawada, Krishna District
5 Two C.Cs to the Government Pleader for Home, High Court

Buildings, A.P., Hyderabad (OUT)

6 Two C.D copies